



08-CV-01852-ORD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MARIN GEORGESHAN,
Petitioner,

v.

A. NEIL CLARK, Field Office Director, U.S.
Immigration and Customs Enforcement,
Respondent.

Case No. C08-1852-JLR-BAT

**ORDER GRANTING PETITIONER'S
PETITION FOR WRIT OF HABEAS
CORPUS**

The Court, having reviewed petitioner's Petition for Writ of Habeas Corpus, respondent's motion to dismiss, the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, and any objections or responses to that, and the remaining record, finds and Orders as follows:

- (1) The Court adopts the Report ~~and Recommendation~~;
- (2) The Petition for Writ of Habeas Corpus, Dkt. 6, is ~~GRANTED~~, and respondent's motion to dismiss, Dkt. 11, is ~~DENIED~~; **STICKEN** as moot;
- (3) ~~This matter is REMANDED to the Seattle Immigration Court for the purpose of providing petitioner with an individualized bond hearing within 60 days of the~~

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~~date of this Order. The burden is on the government to establish that petitioner~~
~~is a flight risk or will be a danger to the community, and~~ and

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(4) The Clerk shall send a copy of this Order to the parties, and to Judge Tsuchida.

DATED this 11th day of May, 2009.


JAMES L. ROBART
United States District Judge